

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PATRICIA KAMMEYER, et al. : **Case No. C-1-01-649**

Plaintiffs : **Spiegel, J.**

vs. :

CITY OF SHARONVILLE, et al. : **RESPONSE OF PLAINTIFFS TO**

MOTION TO INTERVENE

Defendants :

:

Various insurance companies have moved to intervene in the above case. Doc. 242.

Plaintiffs cannot discern from their moving papers exactly what the insurance companies would do in this action. What "jury instructions, jury interrogatories and verdict forms" are anticipated? At what point would these be presented to the jury? What warning would the jury have that these matters will be decided? Plaintiffs request that the moving parties be directed to supplement their motion and answer these questions in order that plaintiffs can then frame an adequate response. Perhaps the moving parties have done this before and have samples of how their issues were presented without disrupting the trial on the merits. Plaintiffs are not opposed to assisting the parties resolve the coverage dispute but do not want disruption to this case.

Plaintiffs reserve the right to supplement this pleading further in light of the clarification that may be provided by the insurance companies.

Respectfully submitted,

s/Alphonse A. Gerhardstein
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Certificate of Service

I here by certify that on March 25, 2005, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/Alphonse A. Gerhardstein